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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13
14 **DEWOYNE CURTIS POTTS,**

15 Petitioner,

16 v.

17 **JAMES TILTON,**

18 Respondent.
19

Case No. CV 07-1312-DSF (AJW)

**STIPULATED PROTECTIVE
ORDER**

Magistrate Judge
Hon. Andrew J. Wistrich

20 Pursuant to *Bittaker v. Woodford*, 331 F.3d 715, 727-28 (9th Cir. 2003)
21 (En Banc), wherein the court ruled that “district courts have the obligation,
22 whenever they permit discovery of attorney-client materials as relevant to the
23 defense of ineffective assistance of counsel claims in habeas cases, to ensure that
24 the party given such access does not disclose these materials, except to the extent
25 necessary in the habeas proceeding, i.e., to ensure that such a party’s actions do not
26 result in a rupture of the privilege,” the following protection to all such privileged
27 information disclosed during discovery in this case is hereby ordered:
28

1 All discovery granted to Respondent pursuant to Respondent's motion to
 2 discover trial counsels' files shall be deemed to be confidential. These documents
 3 and material (hereinafter "documents") may be used only by representatives from
 4 the Office of the California Attorney General and only for purposes of any
 5 proceedings incident to litigating the claims presented in the petition for writ of
 6 habeas corpus pending before this Court. Disclosure of the contents of the
 7 documents and the documents themselves may not be made to any other persons or
 8 agencies, including any other law enforcement or prosecutorial personnel or
 9 agencies, without an order from this Court. This order shall continue in effect after
 10 the conclusion of the habeas corpus proceedings and specifically shall apply in the
 11 event of a retrial of all or any portion of petitioner's criminal case, except that either
 12 party maintains the right to request modification or vacation of this order upon
 13 entry of final judgment in this matter.

14 To the extent that unforeseen circumstances arise, the parties agree that the
 15 language of this Protective Order can be reconsidered.

16 IT IS SO ORDERED.

17 Presented by: /s/ Marc A. Kohm

18 Marc A. Kohm

19 /s/ Jill K. Ginstling

20 Jill K. Ginstling

21 Deputy Federal Public Defender

22 8/27/2010

23 Dated: _____



24 The Honorable Andrew J. Wistrich
 25 United States Magistrate Judge

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